

ORDINANCE NO. 2000 - 028

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989 COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO. 89-17, AS AMENDED; AMENDING THE **TRANSPORTATION ELEMENT** (MODIFYING THE THOROUGHFARE RIGHT-OF-WAY IDENTIFICATION MAP TO: 1) DELETE **CLINT MOORE ROAD** (JEFFERY STREET) FROM NW 2ND AVENUE TO DIXIE HIGHWAY; 2) ADD **MIZNER BOULEVARD** (NE 2ND AVENUE/SE 2ND AVENUE) FROM SOUTH FEDERAL HIGHWAY TO NORTH FEDERAL HIGHWAY; 3) ADD **WINCHESTER PARK BOULEVARD** FROM BOYNTON BEACH BOULEVARD TO OLD BOYNTON ROAD; AND 4) ADD **LE CHALET BOULEVARD** FROM HAGEN RANCH ROAD TO HAVERHILL ROAD AND FROM HAVERHILL ROAD TO MILITARY TRAIL); AND AMENDING ALL ELEMENTS AS NECESSARY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE 1989 COMPREHENSIVE PLAN; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, on August 31, 1989, the Palm Beach County Board of County Commissioners adopted the 1989 Comprehensive Plan by Ordinance No. 89-17; and

WHEREAS, the Palm Beach County Board of County Commissioners amends the 1989 Comprehensive Plan as provided by Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners have initiated amendments to several elements of the Comprehensive Plan in order to promote the health, safety and welfare of the public of Palm Beach County; and

WHEREAS, the Palm Beach County Local Planning Agency conducted its public hearings on March 10, 17, 24, and April 14, 2000 to review the proposed amendments to the Palm Beach County Comprehensive Plan and made recommendations regarding the proposed amendments to the Palm Beach County Board of County Commissioners pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners, as the governing body of Palm Beach County, conducted a public hearing pursuant to Chapter 163, Part II, Florida Statutes, on May 8, 2000 to review the recommendations of the Local Planning Agency, whereupon the Board of County Commissioners authorized transmittal of proposed amendments to the Department of Community Affairs for review and comment pursuant to Chapter 163, Part II, Florida Statutes; and

1 WHEREAS, Palm Beach County received on July 24, 2000 the
2 Department of Community Affairs "Objections, Recommendations, and
3 Comments Report," dated July 21, 2000 which was the Department's
4 written review of the proposed Comprehensive Plan amendments; and

5 WHEREAS, the written comments submitted by the Department of
6 Community Affairs contained no objections to the amendments contained
7 in this ordinance;

8 WHEREAS, on September 18, 2000 the Palm Beach County Board of
9 County Commissioners held a public hearing to review the written
10 comments submitted by the Department of Community Affairs and to
11 consider adoption of the amendments; and

12 WHEREAS, the Palm Beach County Board of County Commissioners has
13 determined that the amendments comply with all requirements of the
14 Local Government Comprehensive Planning and Land Development
15 Regulations Act.

16 NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY
17 COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

18 Part I. Amendments to the 1989 Comprehensive Plan

19 Amendments to the text of the following Element of the 1989
20 Comprehensive Plan are hereby adopted and attached to this Ordinance in
21 Exhibit 1:

22 **A. Transportation Element, Thoroughfare Right-of-Way**
23 **Identification Map**, to delete Clint Moore Road (Jeffery Street)
24 from NW 2nd Avenue to Dixie Highway, and to add Mizner Boulevard
25 (NE 2nd Avenue/SE 2nd Avenue) from South Federal Highway to North
26 Federal Highway;

27 **B. Transportation Element, Thoroughfare Right-of-Way**
28 **Identification Map**, to add Winchester Park Boulevard from Boynton
29 Beach Boulevard to Old Boynton Road, and to add Le Chalet
30 Boulevard from Hagen Ranch Road to Haverhill Road and from
31 Haverhill Road to Military Trail; and

32 **C. Amending all elements as necessary for internal consistency.**
33

1 Part II. Repeal of Laws in Conflict

2 All local laws and ordinances applying to the unincorporated area
3 of Palm Beach County in conflict with any provision of this ordinance
4 are hereby repealed to the extent of such conflict.

5 Part III. Severability

6 If any section, paragraph, sentence, clause, phrase, or word of
7 this Ordinance is for any reason held by the Court to be
8 unconstitutional, inoperative or void, such holding shall not affect
9 the remainder of this Ordinance.

10 Part IV. Inclusion in the 1989 Comprehensive Plan

11 The provision of this Ordinance shall become and be made a part
12 of the 1989 Palm Beach County Comprehensive Plan. The Sections of the
13 Ordinance may be renumbered or relettered to accomplish such, and the
14 word "ordinance" may be changed to "section," "article," or any other
15 appropriate word.

16 Part V. Effective Date

17 The effective date of this plan amendment shall be the date a
18 final order is issued by the Department of Community Affairs or
19 Administration Commission finding the amendment in compliance in
20 accordance with Section 163.3184, Florida Statutes, whichever occurs
21 earlier. No development orders, development permits, or land uses
22 dependent on this amendment may be issued or commence before it has
23 become effective. If a final order of noncompliance is issued by the
24 Administration Commission, this amendment may nevertheless be made
25 effective by adoption of a resolution affirming its effective status,
26 a copy of which resolutions shall be sent to the Department of

1 Community Affairs, Bureau of Local Planning, 2555 Shumard Oak Boulevard
2 Tallahassee, Florida 32399-2100.

3 **APPROVED AND ADOPTED** by the Board of County Commissioners of Palm
4 Beach County, on the 18 day of September, 2000.

5 ATTEST:
6 DOROTHY H. WILKEN, Clerk


PALM BEACH COUNTY, FLORIDA,
BY ITS BOARD OF COUNTY COMMISSIONERS

7 By:  By: 

8 Deputy Clerk

Chair

9 APPROVED AS TO FORM AND LEGAL SUFFICIENCY

10 
11 COUNTY ATTORNEY

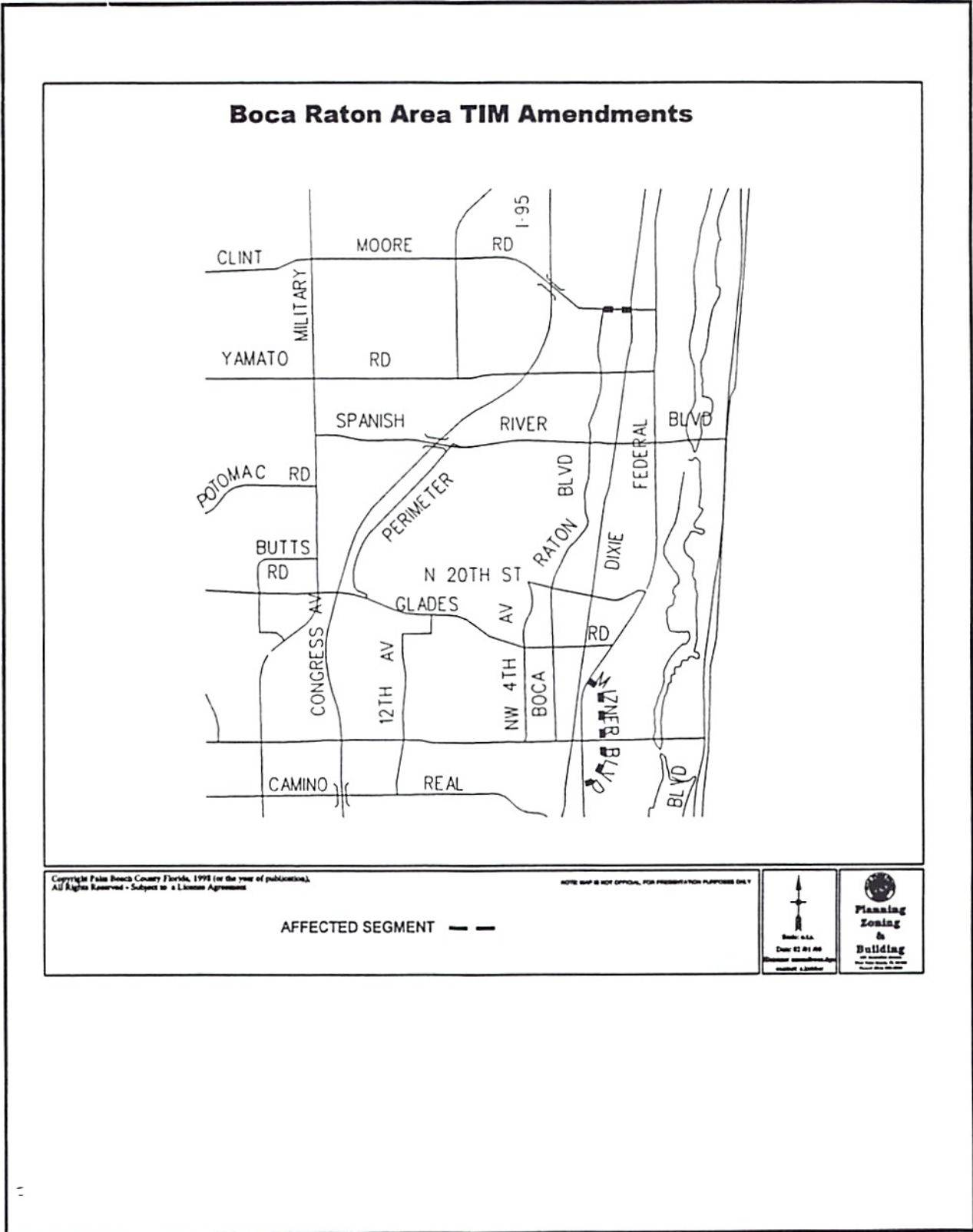
12 Filed with the Department of State on the 25th day
13 of September, 2000.

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EXHIBIT 1

- A. **Transportation Element, Thoroughfare Right-of-way Identification Map**, to revise with regards to Clint Moore Road and Mizner Boulevard.

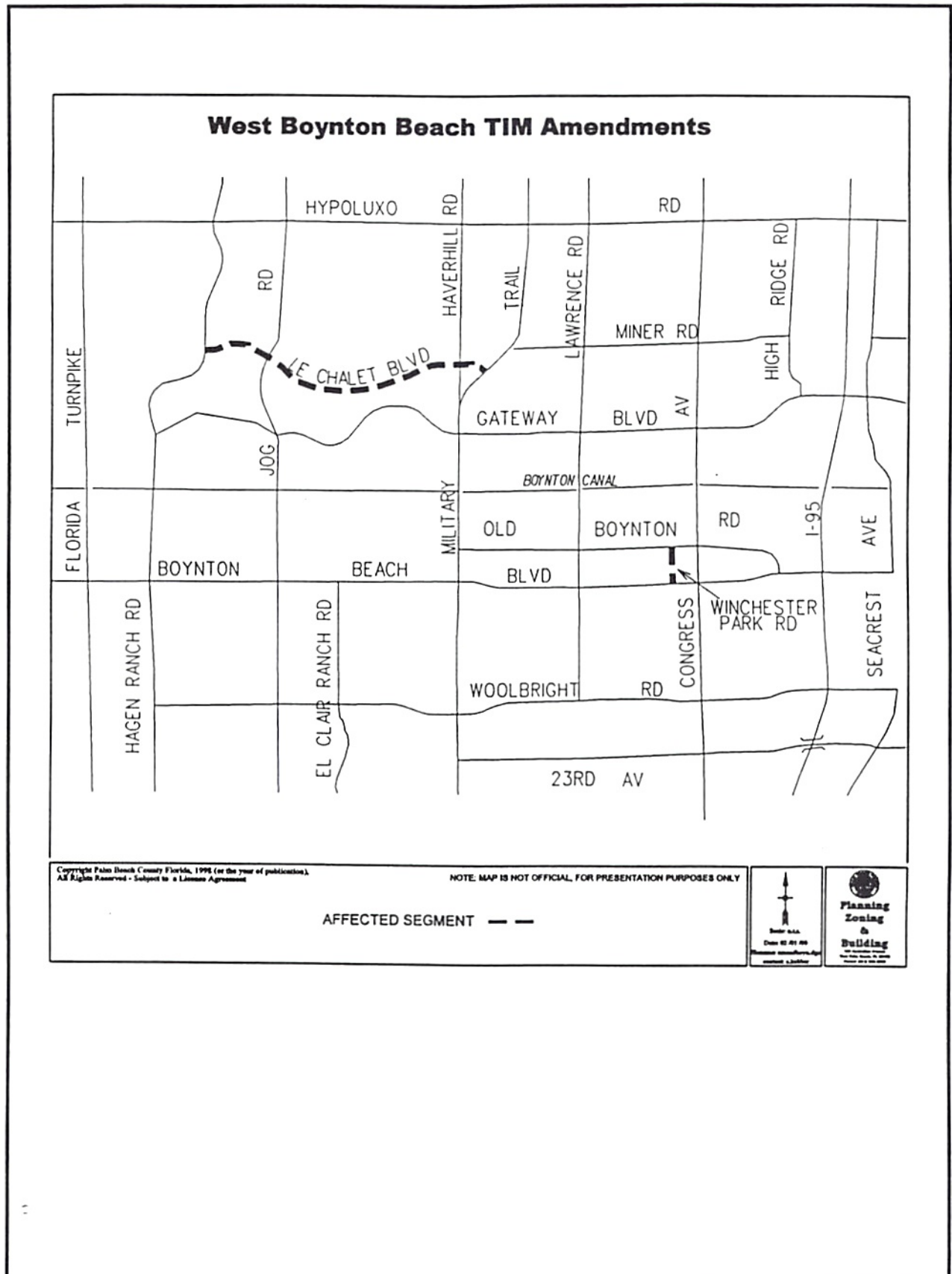
REVISIONS: To delete Clint Moore Road (Jeffery Street) from NW 2nd Avenue to Dixie Highway, and to add Mizner Boulevard (NE 2nd Ave./SE 2nd Ave.) from South Federal Highway to North Federal Highway as an 80 foot right-of-way.



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- B. **Transportation Element, Thoroughfare Right-of-way Identification Map**, to revise with regards to Winchester Park Boulevard and Le Chalet Boulevard.

REVISIONS: Add Winchester Park Boulevard from Boynton Beach Boulevard to Old Boynton Road (100 feet ROW) and add Le Chalet Boulevard from Hagen Ranch Road to Haverhill Road (106 feet ROW) and from Haverhill Road to Military Trail (100 Feet ROW).



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Attest: I, JUDITH A. CLARK, Clerk of the Board of County Commissioners, do hereby certify this to be a true and correct copy of the original filed in my office on September 18, 2000.
 DATED at West Palm Beach, FL on 10/5/00.
 DOROTHY H. WILKEN, Clerk
 By: Heather Brown D.C.
 General TIM Amendments